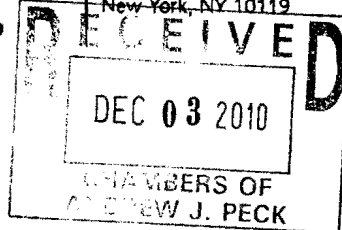


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BY ECF

December 3, 2010
MEMO ENDORSED 12/4/10
DENIED

By Fax

Magistrate Judge Andrew J. Peck
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

SO ORDERED:

[Signature]
Hon. Andrew Jay Peck
United States Magistrate Judge

Re: *Goldstein v. QVT Associates GP LLC, et al.*, Case No. 10-cv-02488 (HB) (AJP)

Dear Judge Peck:

We are counsel for plaintiff Steven Goldstein and write pursuant to the Order for Settlement Conference entered December 1, 2010 concerning Mr. Goldstein's personal attendance at the mediation scheduled for December 8, 2010.

Mr. Goldstein brought the instant action pursuant to Section 16(b) of the Securities Exchange Act of 1934 to obtain disgorgement of defendants' short-swing profits for the benefit of Medivation, the issuer of the subject securities. Section 16(b) provides shareholders of an issuer a direct statutory right of enforcement as private attorneys general. *See, e.g., Gollust v. Mendel*, 501 U.S. 115, 122 (1991). In acting as a private attorney general, Mr. Goldstein has relied on the advice of counsel in the prosecution of this action, and has granted his counsel full authority to settle the action on his behalf during mediation.

Accordingly, Mr. Goldstein respectfully requests that his personal attendance at the mediation be excused, although he will be available by telephone during the mediation to the extent his participation is necessary.

Respectfully,

[Signature]
Jack G. Fruchter

Cc: Michael G. Bongiorno, Esq.
James M. Penning, Esq.